

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TEXTRON INNOVATIONS INC.,)	
)	
Plaintiff,)	
)	C. A. No. 05-486 (GMS)
v.)	
)	JURY TRIAL DEMANDED
THE TORO COMPANY,)	
)	
Defendant.)	

**SECOND DECLARATION OF THOMAS J. LEACH IN SUPPORT OF
TORO'S REPLY TO TEXTRON'S BRIEF IN
OPPOSITION TO MOTION TO TRANSFER VENUE**

OF COUNSEL:

Earl D. Reiland
Thomas R. Johnson
Thomas J. Leach
MERCHANT & GOULD P.C.
3200 IDS Center
80 South 8th Street
Minneapolis, MN 55402
(612) 332-5300

Richard L. Horwitz
David E. Moore
POTTER ANDERSON & CORROON LLP
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, Delaware 19899-0951
(302) 984-6000
rhorwitz@potteranderson.com
dmoore@potteranderson.com

*Attorneys for Defendant
The Toro Company*

Dated: September 7, 2005

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

_____)	
TEXTRON INNOVATIONS, INC.,)	
)	CIVIL ACTION NO. 05-486 (GMS)
Plaintiff,)	
)	
v.)	
)	
THE TORO COMPANY,)	
)	
Defendant.)	
_____)	

SECOND DECLARATION OF THOMAS J. LEACH

I, Thomas J. Leach, declare as follows:

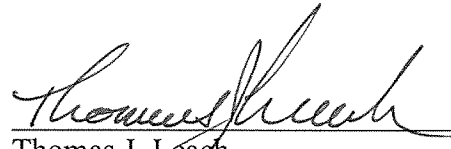
1. My name is Thomas J. Leach. I am an associate with the law firm of Merchant & Gould P.C., which represents Defendant The Toro Company, ("Toro") in the above captioned matter.
2. Attached hereto as Exhibit O is a true and correct copy of a letter dated July 27, 2005, from Earl D. Reiland to Edmond D. Johnson.
3. Attached hereto as Exhibit P is a true and correct copy of a letter dated August 12, 2005, from Christopher C. Campbell to Earl D. Reiland.
4. Attached hereto as Exhibit Q is a true and correct copy of *Corixa Corp. v. IDEC Pharma. Corp.*, C.A. No. 01-615, 2002 U.S. Dist. LEXIS 2980 (D. Del. Feb., 25, 2002).

5. Attached hereto as Exhibit R is a true and correct copy of a map from MapQuest showing that Carlos, Minnesota is a 2 1/2 hour drive from the Minneapolis-St. Paul International Airport.
6. Attached hereto as Exhibit S are true and correct copies of pages from the Securities Exchange Commission Edgar website

"http://www.sec.gov/Archives/edgar/data/217346/0000110465905008155/a05-3904_1ex21.html" dated July 28, 2005.
7. Attached hereto as Exhibit T are true and correct copies of pages from the Rhode Island Secretary of State website "http://www.2.corps.state.ri.us.us/corporations/corp_search/index/php?help+active_detail" dated August 31, 2005.
8. Attached hereto as Exhibit U are true and correct copies of pages from the Hoovers Website "http://premium.hoovers.com/subscribe/co/people.xhtml?ID=11466" dated August 31, 2005.
9. Attached hereto as Exhibit V are true and correct copies of pages from the Jacobsen website titled "Dealer Locator."
10. Attached hereto as Exhibit W is a true and correct copy of a letter dated September 5, 2000, from Robert S. Nolan to The Toro Company.
11. Attached hereto as Exhibit X is a true and correct copy of a letter dated August 1, 2003, from Tim Ford to Jim Berkeley.
12. Attached hereto as Exhibit Y is a true and correct copy of a letter dated November 3, 2000, from R. Lawrence Buckley to Robert Nolan.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 7th day of September 2005.



Thomas J. Leach

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CERTIFICATE OF SERVICE

I, Richard L. Horwitz, hereby certify that on September 7, 2005, the attached document was hand delivered to the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following and the document is available for viewing and downloading from CM/ECF:

Edmond D. Johnson
Peter B. Ladig
The Bayard Firm
222 Delaware Avenue, Suite 900
Wilmington, DE 19801

I hereby certify that on September 7, 2005, I have Federal Expressed the documents to the following non-registered participants:

Scott L. Robertson
Christopher C. Campbell
Hunton & Williams LLP
1900 K Street, N.W.
Washington, DC 20006-1109

/s/ Richard L. Horwitz
By: _____
Richard L. Horwitz
David E. Moore
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, Delaware 19899-0951
(302) 984-6000
rhorwitz@potteranderson.com
dmoore@potteranderson.com